

RULES PROCESSING TEAM

2

OCT . 4 2000

October 4, 2000

Department of the Interior
Minerals Management Service
Mail Stop 4024
381 Elden Street
Herndon, VA 20170-4817
Attn: Rules Processing Team (RPT)

**Re: Oil and Gas and Sulphur Operations in the Outer Continental Shelf –
Decommissioning Activities (Proposed Rule)**

To Whom It May Concern:

The following comments are submitted on behalf of the Environmental Defense Center (“EDC”), a non-profit public interest law firm that represents community groups in a variety of environmental issues, including those pertaining to offshore oil and gas development. EDC currently represents environmental and commercial fishing organizations that are interested in the full abandonment of offshore oil platforms and restoration of the marine environment to its natural condition.

In line with the interests of our clients, we support the requirement that lessees shall only install platforms that can be removed. We also urge MMS to adopt regulations that require removal of **all** debris (including shell mounds and any other unanticipated or unintended debris) upon platform decommissioning and removal. Full site clearance must be the enforceable goal of the decommissioning regulations. Along these lines, and to ensure not only complete but also timely abandonment, MMS should include a requirement for abandonment review when production declines to a certain level. This requirement will ensure that lessees do not avoid abandonment and decommissioning responsibilities by maintaining a low level of production. (See, for example, Santa Barbara County’s permit conditions requiring abandonment review of onshore processing facilities.)¹

We oppose proposed Section 250.1722, which “supports and encourages” the re-use of obsolete platforms as so-called “reefs.” There is no scientific evidence that supports the notion that offshore platforms function as habitat; in fact, there is concern that the structures may actually attract fish away from more productive natural reefs. (See “Artificial Reefs: The Importance of Comparisons with Natural Reefs,” by Mark H. Carr and Mark A. Hixon,

¹ / See also, Santa Barbara County’s draft “Abandonment of Oil and Gas Fields Offshore Santa Barbara County and Related Infrastructure.” This document includes recommendations addressing offshore decommissioning activities and provides technical information and references as well.

October 4, 2000

MMS: Proposed Rule re: Decommissioning Activities

Page 2

Fisheries, Vol. 22, No. 4, April 1997.) Unlike the Gulf of Mexico, which is virtually devoid of natural reefs, the areas offshore California (especially the Santa Barbara Channel and Pt. Conception region, which supports most of the state's offshore platforms) already claim host to productive natural reefs and rocky substrate.

At a minimum, Section 250.1722 should not apply to the Pacific OCS Region, due to these biological and geological considerations. In addition, this section should not apply offshore California because offshore abandonment of platforms is inconsistent with the requirement set forth in California's established artificial reef program that artificial reefs must increase fish carrying capacity and productivity. The State's program prefers the use of concrete boxes and quarried rock because artificial reefs made of these materials most closely mimic natural reefs. We therefore urge that Section 250.1722 should not apply to the Pacific OCS Region.

Should platforms be abandoned at sea, they should be placed in areas that are most appropriate (and necessary) for artificial reef construction, and they should be enhanced and incorporated into a design that complies with the State's artificial reef program. The "reef" must meet the goal of increasing fish carrying capacity and must provide habitat for shelter, forage, growth and reproduction, thereby increasing fish production. The lessee should also remain liable for the management, maintenance, and ultimate disposition of the structure.

Thank you for this opportunity to comment.

Sincerely,

Linda Krop
Chief Counsel